S.B. CIVIL WRIT PETITION NO.5741/2006

Radhey Shayam and ors.
vs.
Bheru Lal and ors.

Date : 4.12.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.BR Mehta, for the petitioners.
Mr.S Srimali a/w Mr.R Choudhary, for respondents.

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Heard learned counsel for the parties.

After going through the reasons given in the two orders passed by the courts below, I do not find that the courts below have exceeded their jurisdiction or committed any error in passing the impugned orders particularly restraining the petitioners from using the alleged way which according to the respondents was their way to go to their building.

Consequently, this writ petition, having no merits, is hereby dismissed.

At this stage, learned counsel for the petitioners submitted that the trial court may be

directed to decide the suit expeditiously.

The suit is listed for evidence of the defendants and can be decided by the trial court expeditiously. Therefore, it is expected from the court below to decide the suit expeditiously.

(PRAKASH TATIA), J.

S.Phophaliya